



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/419,749	10/16/1999	TAD A. DEFFLER	22074661-255	1735

26453 7590 12/21/2001

BAKER & MCKENZIE  
805 THIRD AVENUE  
NEW YORK, NY 10022

EXAMINER

COLBERT, ELLA

ART UNIT PAPER NUMBER

2172

DATE MAILED: 12/21/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

H.G

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/419,749	DEFFLER ET AL	
	<b>Examiner</b>	<b>Art Unit</b>	
	Ella Colbert	2172	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 05 October 2001.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All   b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

Art Unit: 2172

## **DETAILED ACTION**

### ***Response to Amendment***

1. Claims 1-6 are presented for examination. Claims 1, 3, and 5 have been amended in this communication filed 10/05/01, entered as Amendment C, paper no. 14.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Francisco et al (US 6,105,043), hereafter Francisco et al.

With respect to claim 1, analyzing a macro language expression (**col. 4, lines 50-67 and col. 5, lines 1-11**), determining based on predetermined syntax of a macro language, one or more keywords in the analyzed macro language expression (**col. 9, lines 8-40**), the keyword representing an extended macro command initially unknown to the macro language (**col. 10, lines 14-67, col. 11, lines 1-53, col. 15, lines 22-67 and col. 16, lines 1-17**), retrieving a code of instructions associated with the keyword from a registry of keywords (**col. 15, lines 1-14**), executing the code of instructions associated with a keyword (**col. 15, lines 14-19**). Francisco did not explicitly teach, a registry of keywords, but it would have been obvious at the time the invention was made to one having ordinary skill in the art of keywords to have a registry of

Art Unit: 2172

keywords and in view of Francisco's teaching of keywords in the macro language in col. 9, lines 7-15 to incorporate in Francisco a registry of keywords because it is well known in the art that the C language itself has a registry of 33 keywords with the keywords being used in the source code and compiling of the macro language.

With respect to claim 2, extending the registry of keywords by inserting a new keyword representing a new macro command and a code ... (**col. 16, lines 58-66 and col. 17, lines 1-40**).

With respect to claims 3, a parser having a predefined syntax determining one or more extended keywords embedded within a macro language expression, the extended keyword representing a newly extended command initially unknown to a macro language (**col. 11, lines 29-53, col. 12, lines 1-25, col. 15, lines 22-67 and col. 16, lines 1-17**), a keyword repository having one or more keywords and one or more associated codes (**col. 16, lines 21-55**). Francisco did not explicitly teach, a parser and a macro handler coupled to the parser for receiving an extended keyword from the parser, the macro handler in response to the received extended keyword, retrieving a code of instructions associated with the received extended keyword from the keyword repository and executing the code of instructions to run the extended command represented by the extended keyword, but it would have been obvious at the time the invention was made to a person having ordinary skill in the art of extended keywords to have a parser and code associated with the extended keywords and to incorporate in Francisco because such a modification is well known in the art and would enhance Francisco's extended keywords with the parser receiving the keyword first, then parsing the expression and the macro handler in

Art Unit: 2172

response saving the previous contents of the processor registers (keywords) during execution of the main program with the user selecting the functions and submitting the macro command to run the code associated with the keywords with a prefix symbol.

With respect to claim 4, Francisco did not explicitly teach, a keyword repository augmented to include one or more new keywords and one or more associated codes, but it would have been obvious to one having ordinary skill in the art at the time the invention was made to have a keyword repository augmented to include one or more new keywords associated with codes and to incorporate in Francisco because such a modification would enhance Francisco's creation of macro language files for searching and executing SQL queries.

With respect to independent claim 5, this claim is rejected on grounds corresponding to the reason given above for rejected independent claim 1. Applicant's claim 5 has a method for parsing a macro language expression with steps corresponding to the method in rejected claim 1.

With respect to claim 6, wherein the code includes machine operable instructions (**col. 4, lines 50-67, col. 5, lines 1-11 and lines 65-67, and col. 6, lines 1-10**).

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The Applicants' are requested to review the references prior to responding to the Office Action.

MVS Programming: Assembler Services Guide, Second Edition, September 1996,  
Chapter 10. Reporting Symptom Records (SYMRBLD and SYMREC Macros) on pages

Art Unit: 2172

10-1 to 10-9 discloses invoking a macro, generating code to build a record, and building a record.

Turbo Assembler Version 3.0, User's Guide, Borland, Chapter 14, Using Macros, pages 197-212, discloses how to use text and multiline macros in a program.

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

#### **INQUIRIES**

6. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Ms. Ella Colbert whose telephone number is (703) 308-7064. The Examiner can normally be reached Monday through Thursday from 6:30 a.m. to 3:00 p.m. EST. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Kim Vu, can be reached on (703)305-4393.

Art Unit: 2172

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**Or faxed to:**

(703)746-7238 (After-Final) and (703)746-7239 (Official), (for formal communications intended for entry).

**Or:**

(703)746-7240 (for informal or draft communications, please label

**“PROPOSED”** or **“DRAFT”**).

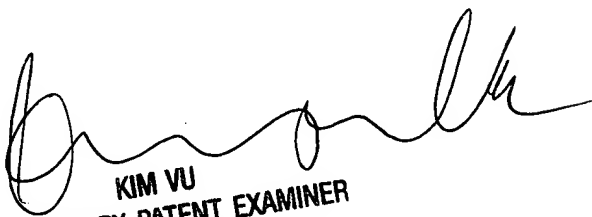
Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,  
Arlington, Virginia., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding  
should be directed to the Group Receptionist whose telephone number is (703)305-3900.



E. Colbert

December 11, 2001



KIM VU  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100